

From: VanL
To: Microsoft ATR
Date: 1/23/02 7:50pm
Subject: Microsoft Settlement

Hello,

I understand from various news sources that your office is gathering Tunney Act-related responses to the proposed Microsoft settlement. I am writing to express my strong opinion that the settlement, as it stands, is a very bad idea.

I am a computer engineer, and I work for an ISP. As such, I have a better idea than most of the damage that Microsoft has done at a purely technical level.

The problem is that Microsoft is very good at marketing, and unfortunately, many of its competitors are not. Moreover, the opportunity cost of allowing Microsoft to continue have been HUGE -- but they are not really visible unless one has the technical background to appreciate the superior alternatives that have been driven out of the market by Microsoft's anticompetitive behavior. These costs have never been widely acknowledged.

The damage Microsoft has done includes:

1. Undocumented, or poorly documented file formats.

Primary among these are the file formats for the various Office applications. Microsoft's specifications on these formats are so complex and vague that no competitor -- anywhere -- has been able to reverse-engineer 100% compatability. Further, whenever any competitor gets close, Microsoft releases a new update that once again braeks compatability. Microsoft also uses these incompatibilities to force customers to upgrade.

2. "Embraced and Extended" standards.

Frequently, Microsoft has taken a widely accepted standard (DCE, Kerberos, SMTP auth, html, java) and changed it just enough that interoperating with anything other than a Microsoft product is partially or fully broken. They can do this because their desktop monopoly enables them to widely deploy their mutated standard. This is a deliberate attempt to fence off the commons, and make it proprietary to Microsoft. (For more information, search for "Halloween Documents" on the web, the section on Embracing and Extending Standards)

3. Multiboot license restrictions.

Not widely known are the boot-time restrictions that Microsoft places on its "partners". These prohibit the display of multiple operating system choices at boot-up. For example, Be, Inc offered its widely acclaimed operating system for FREE to anyone who was willing to preload it on a computer in a dual-boot configuration. Those who took them up on that offer were quickly contacted by Microsoft legal, who prevented the display of the competing system. As a result, those who bought the computer had to go through a lengthy procedure to uncover the software that was provided to them for free -- just because that software competed with Microsoft. For a more recent example, witness the "relaxing" of desktop icon restrictions by Microsoft: OEMs could put AOL's icon on the desktop only if it was accompanied by multiple icons advertising equivalent Microsoft services.

4. Anti-competitive bundling.

In the newest version of Windows, Windows XP, several applications are bundled and uninstallable which, by any definition of the term, are not operating system services. Examples include the XP's passport integration, and Microsoft instant messenger integration. Read any of the many reviews on the web which talk about how heavy-handed XP is in pushing users to subscribe to Microsoft services.

This last point gets to the heart of the matter. Microsoft uses its desktop monopoly to leverage itself into other spaces in a unique and anticompetitive fashion. Permitting this to continue with just a consent decree and judicial oversight is no remedy at all. Remember that the current lawsuit was started because the previous consent decree did not restrain Microsoft's anticompetitive leanings in any significant fashion. Please don't repeat the same mistake!

As a citizen, voter, engineer, and consumer, please require that the conviction against Microsoft mean something! Please use all your efforts to require competition in the software marketplace. I know it may seem risky in this slow economy, but long-term, the best thing for the economy and the consumer is sufficient competition in the market.

Thank you,

Van Lindberg
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